

## EEO Investigative Affidavit (Witness)

Page Number	Number of Pages	Case Number
1	14	4J-450-0002-21

1. Affiant's Name (First, Middle, Last) Jessica Maggard		2. Employing Postal Service Facility Loveland Post Office	
3. Position Title Postmaster	4. Position Level	5. Postal Address and ZIP + 4 200 Loveland Madeira Rd Loveland, OH 45140-9998	6. Unit Assigned

## Privacy Act Statement and Rehabilitation Act Notice

**Privacy Act Statement:** Your information will be used to adjudicate complaints of alleged discrimination and to evaluate the effectiveness of the EEO program. Collection is authorized by 39 U.S.C. 401, 409, 410, 1001, 1005, and 1206. Providing the information is voluntary, but if not provided, we may not be able to process your request. We may disclose your information as follows: in relevant legal proceedings; to law enforcement when the U.S. Postal Service (USPS) or requesting agency becomes aware of a violation of law; to a congressional office at your request; to entities or individuals under contract with USPS; to entities authorized to perform audits; to labor organizations as required by law; to federal, state, local or foreign government agencies regarding personnel matters; to the Equal Employment Opportunity Commission; and to the Merit Systems Protection Board or Office of Special Counsel. For more information regarding our privacy policies visit [www.usps.com/privacypolicy](http://www.usps.com/privacypolicy).

**Rehabilitation Act Notice:** Under the Rehabilitation Act, medical information is confidential and may only be requested or disclosed in very limited circumstances. Medical documentation about the complainant's and possible comparison employees' medical conditions and work restrictions may be requested in connection with the investigation of an EEO complaint. Information about medical restrictions (but not medical conditions) obtained in the course of an EEO investigation may be disclosed to supervisors and managers who need to know about restrictions on the work or duties of the employee and about necessary accommodations. Supervisors and managers are not permitted to share such information with peers or subordinates or to discuss the information with those who have no need to know and whose requests for the information are not job-related and consistent with business necessity.

## USPS Standards of Conduct

Postal Service regulations require all Postal Service employees to cooperate in any Postal Service investigation. Failure to supply the requested information could result in disciplinary action in accordance with ELM 665.3 and 665.6.

## 7. Statement (Continue on Form 2569 if additional space is required)

1. What is your full name?

Jessica Maggard

2. Please state your position title, level, location, telephone number and email address.

Postmaster, Waynesville Post Office, 513-374-5896, Jessica.maggard@usps.gov

*Jessica.L.Maggard@usps.gov*

3. During the timeframe of this complaint, please identify your organizational relationship to the Complainant (i.e. Supervisor, Manager, etc.)?


Jan 21, 2021 to Feb 17, 2021, None

April 2021, Acting Postmaster, Second level supervisor

I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature <i>Jessica Maggard</i>	Date Signed 7/8/2021
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4. Identify the name and title of your immediate supervisor.

Wayne Ault - *A/Poom*

### SEX ALLEGATION

5. Identify your sex.

Female

6. What do you believe Complainant's **sex** to be? She identifies as female. **How and when** (approximate date) did you become aware of Complainant's sex? I am unaware.

7. What do you believe Complainant's **sexual orientation** to be? **How and when** (approximate date) did you become aware of Complainant's sexual orientation?

I am unaware

### CLAIM 2: MANAGEMENT PUT A LOCK ON THE WOMENS RESTROOM

8. Complainant alleges on April 2, 2021 management placed a lock on the women's restroom. Were you the management official responsible for placing a lock on the women's restroom? If so, please explain the incident in detail and the reason why you placed a lock on the women's bathroom.

Yes. I had a lock placed on the men's and women's bathrooms. The Complainant had not found which gender he or she was going to be. I discussed bathrooms with him to see what he thought would help him feel better at the workplace. We did not know if he was a male or a female. He was struggling with which bathroom he should use. I brought up the issue of having a unisex bathroom and he felt it would be helpful. I left in August 2020. I left information for my replacement to put a work order in to make both bathrooms unisex.

I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*



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I returned to Loveland Post Office in February 2021 and nothing had been changed. I contacted the safety division and we changed both bathrooms into unisex bathrooms. The bathrooms also had changing rooms. Maintenance division installed locks on the doors on April 3, 2021.

I received a call from home from the Complainant and he was upset. I explained to him we discussed the matter and he was aware locks were being installed because they were unisex bathrooms. He wanted a list of employees who were homophobic. On April 5, 2021, he came to me and demanded he get a list of people and I told him there was no list. He yelled at me and told me I was transphobic.

a. If this is not accurate as Complainant alleges, please explain the incident in detail including what occurred, how it occurred and why it occurred.

9. Were any other management officials responsible for placing a lock on the women's restroom. If so please identify by name and position title.

No

10. Did Complainant respond to the lock being placed on the women's bathroom? If yes, what was his response?

Yes. He called me while I was at home and he said he was upset.

11. What was/were the reason(s), if any, provided to the Complainant for the lock being placed on the women's bathroom?

I told him that we had discussed the decision previously. I asked him what could I do to help him acclimate which bathroom he could go in. He did not want to think he was special or because of him the bathrooms were being changed.

*other employees*

12. Did Complainant disagree with these reasons? No. If so, please explain why he disagreed.

I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*

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13. What Postal policies, regulations and/or rules are relevant to this issue? *(Please provide copies of any policies, regulations and/or rules cited.)* Explain how they applied in this case.

Unknown

14. Was Complainant's **sex** a factor when management placed a lock on the women's bathroom? If so, explain in detail.

No

15. Was Complainant's **sexual orientation** a factor when management placed a lock on the women's bathroom? If so, explain in detail.

No

16. Did Complainant file a grievance or any other type of complaint regarding this issue?

No. He did file a complaint with OSHA.

a. If so, at what stage is the grievance/complaint? We complied with what OSHA wanted. Case is closed

b. If a final decision was reached, what was the result?

Both bathrooms were converted to men's and women's. There were separate facilities made for changing areas.

*(Please provide a copy of any relevant documentation.)*

### CLAIM 3: THE POSTMASTER ALLEGEDLY HUMILIATED COMPLAINANT

I declare under penalty of perjury that the foregoing is true and correct.


Affiant's Signature

*Jessica Maggare*

Date Signed

*7/8/2021*



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17. Complainant alleges on April 5, 2021, you humiliated him when you got on the intercom. Specifically, Complainant stated he talked to you about the lock on the bathroom and he alleged you were confrontational and raised your voice. He further stated you got on the intercom and told him to go to his case in front of the whole office. Did this interaction occur as Complainant describes? No. If so, explain in the incident in detail and the reason why you allegedly humiliated him.

- b. If it did not occur the way Complainant alleges, please explain the incident in detail including what occurred, how it occurred and why it occurred, and what was said.

He was mad and called employees homophobic. I asked him to go back to his case. He yelled that he could not work for ~~transfer~~ transphobic people and said he does not have to follow instructions. He also said he was tired of management's crap. I went to try and calm him down.

I told him to please go into his case and he started yelling at another employee who was trying to calm him down. I got on the intercom and announced to the office they all needed to get in their case. I told everyone there was no more talking and to do their job and get out on the street. Two employees were caught talking and I told them to get in the case and be quiet. The complainant announced to the floor he was leaving and was sick. I asked him to fill out a sick leave slip. He said he had never completed one before. He filled out a sick leave slip and threw it on the floor. He walked out of the building and yelled, "thanks for all the birthday wishes you ~~transfer~~ transphobic the people".

I declare under penalty of perjury that the foregoing is true and correct.


Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*



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18. Did Complainant respond to you allegedly humiliating him? If yes, what was his response?

No. I did not humiliate him.

19. What was/were the reason(s), if any, provided to the Complainant for allegedly humiliating him?

N/A

20. Did Complainant disagree with these reasons? If so, please explain why he disagreed.

N/A

21. What Postal policies, regulations and/or rules are relevant to this issue? (*Please provide copies of any policies, regulations and/or rules cited.*) Explain how they applied in this case.

Zero tolerance Policy

22. Was Complainant's sex a factor in his allegation that you humiliated him? If so, explain in detail.

No

I declare under penalty of perjury that the foregoing is true and correct.


Affiant's Signature

Date Signed

*Jessica Maggard*

*7/8/2021*



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23. Was Complainant's **sexual orientation** a factor in his allegation that you humiliated him? If so, explain in detail.

No

24. Did Complainant file a grievance or any other type of complaint regarding this issue?

No

c. If so, at what stage is the grievance/complaint?

d. If a final decision was reached, what was the result?

*(Please provide a copy of any relevant documentation.)*

#### CLAIM 4: THE POSTMASTER INFORMED HIM THAT HE WAS BEING PLACED ON EMERGENCY PLACEMENT

25. The Emergency Placement in Off-Duty Status issued to Complainant on April 15, 2021 has your signature on it. Were you the management official who made the decision to issue the Complainant the Emergency Placement in Off-Duty Status? Yes. If not, please identify the management official by full name and title.

26. If it was not your decision, how were you involved?

I declare under penalty of perjury that the foregoing is true and correct.


Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*



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27. Was any other management official involved in the decision to issue the Complainant the Emergency Placement in Off-Duty Status? If so, provide their full name and job title and a brief description of how they were involved.

No

28. Explain in detail the circumstances that led up to Complainant being issued the Emergency Placement in Off-Duty Status.

A carrier provided a statement which stated he talked to complainant on April 2, 2020 and complainant said he was going to "Blow this mother fucker up and take management out".

Additionally, an employee was in a case and the complainant stood behind her and would not let her leave the case. Complainant would follow the female employee around the office to get a reaction from her. Both of the complainant's supervisors had given him communication about being combative with other employees. He was told if there were any other incidents that occurred there would be repercussions.

*Inspection Service*

I decided to initiate the emergency placement and notified ~~OIG~~. They talked to complainant on April 14, 2020 and started an investigation.

29. Was Complainant notified his conduct was not acceptable prior to being issued the Emergency Placement in Off-Duty Status? If so, when and by whom?

Yes. Mr. Malone and Mr. Mulholland told complainant his conduct was unacceptable prior to the emergency placement


I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*

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30. Was Complainant provided a reason why he was issued the Emergency Placement in Off-Duty Status?

Yes. He was told threats violate the zero-tolerance policy. I gave him this reason on the phone and he hung the phone up. He received the paperwork on April 15, 2020.

31. Did Complainant disagree with the reason provided? If so, explain why.

No

32. Was complainant's **sex** a factor in any decisions you made or actions you took in when he was issued the Emergency Placement in Off-Duty Status? If so, explain why.

No

33. Was complainant's **sexual orientation** a factor in any decisions you made or actions you took when he was issued the Emergency Placement in Off-Duty Status? If so, explain why.

No

I declare under penalty of perjury that the foregoing is true and correct.


Affiant's Signature

Date Signed

*Jessica Maggard*

*7/8/2021*



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34. What Postal policies, regulations and/or rules are relevant to this issue? *(Please provide copies of any policies, regulations and/or rules cited.)* Explain how they applied in this case.

Zero Tolerance, Disciplinary Procedures, Article 16 section 5 of the NALC

35. Complainant identified John Miller as an employee who yells and throws parcels, yet he was not placed on Emergency Placement. Please provide the following for John Miller:

- a. What is the name of John Miller's Supervisor? Lawrence Malone and Bryan Mulholland
- b. What is John Miller's job title and work location? Regular Rural Carrier
- c. What is John Miller's sex? Male *Identifies as a male*
- d. What is John Miller's sexual orientation? Unknown


I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*

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- e. Explain why John Miller was treated differently when Complainant was placed on Emergency Placement.

John Miller never had an issue with yelling or throwing parcels.

36. Are you aware of any other employees under your management within the past year, with similar conduct or who **were not** placed on Emergency Placement? No. If so, identify the following for each:

- a. Full Name
- b. Position Title and Supervisor
- c. Sex
- d. Sexual Orientation
- e. Explain how their situation compared to Complainant's and why they were treated differently.

37. Are you aware of any other employees under your management, with similar conduct who were **also** placed on Emergency Placement? No. If so, identify the following for each:

- a. Full Name
- b. Position Title and Supervisor
- c. Sex

I declare under penalty of perjury that the foregoing is true and correct.


Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*



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d. Sexual Orientation

e. Explain how their situation compared to Complainant's and why they were treated similarly.

38. Did Complainant file a grievance or any other type of complaint regarding this issue? Yes

a. If so, at what stage is the grievance/complaint? Step 2 and it has currently been moved to Step 3.

b. If a final decision was reached, what was the result? It is pending a decision.

*(Please provide a copy of any relevant documentation.)*

I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*

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**HARASSMENT ALLEGATION**

39. Did Complainant (or anyone acting on behalf of Complainant) tell you that your or anyone else's actions constituted harassment and/or a hostile work environment for him/her? No. If so, provide the following:

- a. When were you told?
- b. Who told you?
- c. What specifically were you told?
- d. What was your response/action?

(If in writing, please provide a copy.)

*I was not aware of anyone acting on the behalf of Complainant*

40. Are you aware of Complainant (or anyone acting on behalf of Complainant) bringing to the attention of any other management official concerns about harassment/hostile work environment? No. If so, provide the following:

- a. Who was told?
- b. When were they told?
- c. What specifically were they told?
- d. What was their response/action?

(If in writing, please provide a copy.)

*I was not aware of anyone acting on the behalf of the Complainant.*

I declare under penalty of perjury that the foregoing is true and correct.


Affiant's Signature

Date Signed

*Jessica Maggard*

*7/8/2021*



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41. Was an investigation conducted into Complainant's allegations of harassment/hostile work environment? Yes. If so, by whom and when? ~~QIG~~

*Postal Inspectors, IMIP Team*

42. To your knowledge, what was the outcome of the investigation? Please provide a copy of the report.

The hostile work environment claim was unsubstantiated.

43. Was Complainant informed of the outcome? If yes, how?

Yes. He received a copy of the investigation.

44. Was any corrective or preventative action necessary? No. If so, what action was taken?

*Eap was brought in for all employees*

45. If no investigation was conducted, please explain why.

N/A

46. Have you received training on anti-harassment/hostile work environment while employed by the agency? Yes. If so, when?

*multiple times a year, I have been with the postal Service for 23 years.*

47. Is the agency anti-harassment/hostile work environment policy posted in your facility?

Yes

I declare under penalty of perjury that the foregoing is true and correct.

Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*

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48. Do you have anything relevant to add that has not already been addressed regarding the accepted claim(s) of this complaint? If so, please explain.

No

I beleive the Complaintants claims, are  
Self serving, and are untrue.

*Jim*

I declare under penalty of perjury that the foregoing is true and correct.

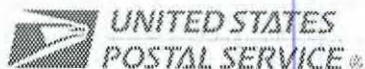
Affiant's Signature

*Jessica Maggard*

Date Signed

*7/8/2021*





# Certification

Case Number

4J-450-0002-21

I have read the proceeding attached statement, consisting of \_\_\_ pages, and it is true and complete to the best of my knowledge and belief. In making this statement, I understand Section 1001, Title 18 of the U.S. Code which states:

"Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representation, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both."

## Privacy Act Statement and Rehabilitation Act Notice

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**Rehabilitation Act Notice:** Under the Rehabilitation Act, medical information is confidential and may only be requested or disclosed in very limited circumstances. Medical documentation about the complainant's and possible comparison employees' medical conditions and work restrictions may be requested in connection with the investigation of an EEO complaint. Information about medical restrictions (but not medical conditions) obtained in the course of an EEO investigation may be disclosed to supervisors and managers who need to know about restrictions on the work or duties of the employee and about necessary accommodations. Supervisors and managers are not permitted to share such information with peers or subordinates or to discuss the information with those who have no need to know and whose requests for the information are not job-related and consistent with business necessity.

## USPS Standards of Conduct

Postal Service regulations require all Postal Service employees to cooperate in any Postal Service investigation. Failure to supply the requested information could result in disciplinary action, in accordance with ELM 665.3 and 665.6.

## Oath or Affirmation

Subscribed and (sworn) (affirmed) before me on the 8<sup>th</sup> day of July, 2021.

(Affiant, sign in the presence of an EEO Complaints Investigator.)

Signature of EEO Complaints Investigator

Signature of Affiant

*Jessica Maggard*

I declare under penalty of perjury that the foregoing is true and correct.

(Affiant must sign and date if attached statement was not completed in the presence of an EEO Complaints Investigator.)

Signature of Affiant

Date Signed

*Jessica Maggard*

7/8/2021





## Request for Fitness-for-Duty Examination

The purpose of the fitness-for-duty examination is to determine whether or not an employee is medically able to perform his or her job responsibilities. The employee's supervisor submits the request to the installation head or designee, who concurs with or denies the request. If there is concurrence, the request is forwarded to the Human Resources manager or designee. The supervisor must submit specific substantiating information with the request, including a copy of the attendance record, a job description with functional and environmental factors, and all other relevant observations regarding the employee.

It is essential that this substantiating documentation be specific and all-inclusive. This document along with the substantiating information may be submitted in its entirety to the examining medical professional.

Please complete the following:

Date (MM/DD/YYYY)	Time	Pay Location	Facility
5/19/2021	1:22 pm	000	Loveland Post office
Employee's Name	Social Security No.		
ERIC Poweleit (AKO known as Jamie Poweleit)	03611244 EIN		
Street Address	Telephone No. (Include Area Code)		
18 Miami view Dr	513-600-2915		
City	State	ZIP Code	
Loveland	OH	45140	
Tour and Hours	Nonscheduled Days		
745am - 430pm	F/Sun		
Job Title	Duty Status		
Rural Carrier	Admin Leave		
Is This Request Due to a Job Related Injury or Illness?			Date of Injury (MM/DD/YYYY)
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Reason for Requesting the Fitness-for-Duty Examination: (Additional information may be submitted on a separate page)

Employee is demonstrating <sup>combative</sup> behavior towards other employees. To the extent of mental Abuse. On April 3, 2021 employee made a threat to another employee (which the other employee made a statement on) That Employee Poweleit Stated "she was going to blow this Mother fucker down and management would be the first to go, then the others." Employee poweleit has had other instances of combative behaviors with others as well. On April 3, 2021 employee Poweleit verbally attacked another employee (statement also made) about her being homophobic and Transphobic. The other employee was in tears, management then had to break up the confrontation and tell all employees to quietly work and complete their duties for the day. All Employees complied except employee Poweleit. Employee Poweleit continued to be combative

Supervisor's Name	Telephone No. (Include Area Code)
Lawrence L. Mabee III	513-683-8052
Supervisor's Signature	Date (MM/DD/YYYY)
	5/21/21

Approved By:

Facility Manager's Name	Telephone No. (Include Area Code)
Jessica Maggard	513-683-8052
<input type="checkbox"/> Health Unit <input type="checkbox"/> Contract Clinic <input type="checkbox"/> Emergency Facility	

Name and Location



- (2) Behavior with Management. On April 5, 2021 employee Poweleit also had a verbal confrontation with postmaster Jessica Maggard, again employee had an outburst on the floor and was asked to calm down and the issues they had would be discussed once they were calm. Employee Poweleit accused the Postmaster of being transphobic yelling at her on the floor as she asked him repeatitively to go back to the case. Again the floor was told to work quietly and to get in the cases to finish their duties. Employee Poweleit had to be instructed 3 ~~spe~~<sup>in</sup> Sperate times. On the third time employee Poweleit came out of the case and announced she was sick and was going home. PM maggard asked for a 3971 to be filled out, employee refused at first then complied, After filling out 3971 Employee threw it on the floor at the supervisor. desk and left the floor yelling that "Thanks for all the Birthday wishes, from all you transphobic people"
- Employee poweleit has been in the hospital prior with similar issues.
  - Employee Glatte did have a temporary restraining order issued to Employee Poweleit's behavior toward her. Glatte is in process for a more permenate solution with Cleremont County Court system.
  - Employee Poweleit has cornered Employee Glatte in her case. Employee Poweleit has made statements to other employee that he was going to take "Alex Glatte" down and that he had Supervisor "Larry Malone by his balls"



✓ About 20 minutes later, I returned to my office and asked to talk to me. Alex Glatte expressed her concerns about SAT 4/3/21, but also stated Jamie (Eric) had been following her again. I asked again? She said yes. She had made a statement a few months prior that Jamie (Eric) had been following her and that other employees had to get involved due to the fact Eric (Jamie) would advance her and trap her in her case. Alex stated that Eric (Jamie) was doing this kind of erratic behavior again. We discussed the buddy system and that she not need to be by herself. She was very upset to the point of tears. She was very uncomfortable with the situation. Alex left my office. I went out to the floor. I was standing at the supervisors desk when Eric (Jamie) approached me. She asked me to talk about the bathroom locks again. I said sure what could I help her with. She wanted to know the names of the employees that were trans-phobic. I explained to her that whether there were any employees that had issues, that information wasn't hers to have. She then became loud was talking over me. She accused me of being transphobic and we were all full of hate. At this point I asked her to go back to her route and case her mail. We were not going to have a yelling match on the floor. As she was going back to her route she started making comments so that the other employees could hear her. I again asked her to go to her case. I got on the intercom and put the workroom floor on lock down. Due to the noise...



10/10/20

Today when I returned to the office ~~at~~ at the end of my route, Eric (Jamie) asked if I wanted to talk. I said "no" and (s)he started laughing and muttering so I said "excuse me" to which (s)he started yelling at me. I said over and over "please just leave me alone, please stop talking to me" and I asked Josh where Larry was to which (s)he said "so what you're going to tell on me again" and laughed. I walked outside until Larry got back.

Alex Blatte

U. S. Postal Service ROUTING SLIP		Office or Room No.	<input type="checkbox"/> Approval <input type="checkbox"/> Signature <input type="checkbox"/> Comment <input type="checkbox"/> See Me <input type="checkbox"/> As Requested <input type="checkbox"/> Information <input type="checkbox"/> Read and Return <input type="checkbox"/> Read and File <input type="checkbox"/> Necessary Action <input type="checkbox"/> Investigate <input type="checkbox"/> Recommendation <input type="checkbox"/> Prepare Reply <input type="checkbox"/>
To:			
1			
2			
3			
4			
5			
From:			Phone No.
Date			Room No.
Remarks:			
<p>I was talking with Jamie while loading my truck. She told me that she was going to "burn this mother fucker to the ground". I asked her to please explain to me what that meant because it was very concerning to me. She said that she was going to take everybody down, naming management as the first to go.</p> <p style="text-align: right;">Albert Cornell</p>			

ITEM 0-13, April 1998 (Additional Remarks on Reverse)

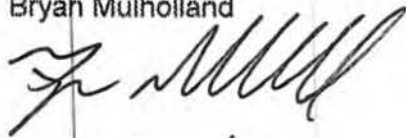
00125

4-14-21



On Saturday April 3<sup>rd</sup>, 2021 I was sitting at my desk working on reports when rural carrier Albert Cornell got my attention as he walked by. He told me to keep an eye on the corner by his case because the discussions going on were getting heated. I told him thanks for the heads up and that I would keep an eye on it. I glanced down to that area and all seemed fine at the moment so I went back to working on my morning reports. About ten minutes later I heard yelling coming from the corner of the work room floor by routes 2, 3, 5, and 6. I walked down there and discovered that Eric (Jamie) Poweleit and Winnie Fisher were yelling at each other. I instructed everyone in that corner to stop talking and return to their cases to work their mail in silence. Eric (Jamie) Poweleit did not follow instruction at first and continued to argue with myself and Winnie. I told Eric (Jamie) Poweleit that I was not going to say it again to get back to their cases and work their mail in silence. At that point I went back to my desk to continue my morning reports and emails. Another ten minutes went by when I heard yelling yet again from that same corner of the work room floor as well as Winnie calling my name. I went straight to that corner where I told everyone that this was their last warning. That if they did not get back to their cases and worked in silence that I would pull them off of the workroom floor. I told this to everyone in that corner of the work room floor. This included Eric (Jamie) Poweleit, Winnie Fisher, Sam Mckee and Connie Earnest. All of which were warned the first time as well. After this final warning I did not have any further issues from that corner.

Bryan Mulholland



4/5/21

10-28-2020

On October 28, 2020 Eric (Jamie) Powell  
approached me threatening Larry Malone.  
He said Larry was discriminating against  
him and that he had him by the  
balls to take Larry's job.

Amanda Taylor



10-20-2020

On October 20, 2020, Eric (Jamie) Powelett approached me and said he is going to take down Alex Glatte.

Amanda Taylor

10/26/2020

Eric Powelett AKA Jamie Powelett

At approximately 11:30am it was called to my attention that there was some arguing on the work room floor at RR5/95 case. I headed in that direction and witnessed Jamie Powelett heading towards RR5/95 case in a threatening manner. I was unaware of what was said prior to my arriving on the scene. I asked all to face their cases and stayed on the scene until all the carriers had left so that no further incident could take place.

Witnesses: Winnie Fisher, Connie Earnest

10/26/2020

At approximately 17:00 Jamie Powelett approached me at the supervisors desk and asked why I had changed what we had talked about last week about Alex Glatte. I replied what are you talking about and then Jamie went into detail about another employee that Jamie had an altercation with. I had handled that situation and asked both not engage each other unless in a friendly manner. (Both agreed per previous conversation) Jamie kept pressing this issue in an argumentative manner. I asked Jamie to discontinue this course as it was disruptive to the work room floor. Jamie finally stopped and just stared at me and went about his business.

Witnesses: Bryan Mulholland, Lisa Jones

10/26/2020

At 17:15 Jamie Powelett approached the desk to end his shift handing time sheet in. Jamie asked why had I changed the agreement we had. I asked what agreement are you referring to? He again brought up Alex Glatte. I asked if Jamie had any incident I was unaware of since our conversation. Jamie stated no, but I notice she still loads her vehicle out back under the awning. (I had originally suggested that Alex load on the opposite side of the building to prevent a further incident) (I was informed that I was incorrect in suggesting that idea) I informed Jamie I was incorrect in suggesting that idea and Jamie again became argumentative. I then ended the conversation.

Witnesses Brian Mulholland, Lisa Jones.



10/26/2020



Person Jones  
Love Land P.O.  
RR#42

5:45p.m Oct. 26-2021

Larry was doing his work sitting at his desk in the middle of the work room floor.

(Eric) Jamie James approached Larry acting and talking very disrespectful.

I could Not hear everything that was said -

I only could hear that -

Apparently Larry must have called her Eric. And, she wants to go by the name of Jamie James.

Larry stayed very calm, and Calmed Jamie down.

Jamie left as to go home.

But, Shortly returned being loud again and making demands -

Larry repeatedly Kept saying. He was sorry.

I have worked here for 34 years -  
It is sad that we have to work in a hostel work environment, we have to watch our backs, keep our ears open, Be ready for anything. Someone Needs to PAY ATTENTION

4/5 Monday

Jamie is following me again today. I go out to load my LLV and she walks out and stares at me so I come in and she comes back in. I go out when she comes in to finish loading and she follows me out and stared at me and laughed. This is not the first time this has happened.

Alexandra Blatte  
Alyssa



4/15  
on Saturday, Jamie was yelling at Winnie. I was trying to ignore the situation, but I overheard Jamie say "I'm going to burn this place to the ground" returning to the post office

Alexandria Blatte  
dmyziantz

I was made aware of a lock being installed on women's restroom. When I asked carrier's "why"? Connie Ernst said "ERIC POWELL (Jamie James)" said I complained about him using women's restroom, I never said this. I wasn't even here then another carrier said "Paul Glendin" & Sammy were also saying this. This ~~was~~ standing of accusations must stop! I went to Jessica Raiggard at once to clear this up! My supervisor Larry Mahoney asked me to write a statement regarding today's events! I knew nothing about a lock said nothing. People are trying to intentionally cause a workroom conflict & "I don't like it at all" not in these trying times. If we need to get Union involved or attorney please advise me in advance.

Jacqueline Braden



Love land, P.O.  
RR#42

Monday - Aug. 25, 2020

I came to work this morning. I stopped to talk to Bess Clemmons on Route 40. to catch up with the week before work.

Out of the corner of my eye I saw Jamie James coming in the door. It appeared she was going to the Sanatizing Station (where you get glove mask, Sanitizer, Clorox wipes ect.) When all of a sudden she raced over (almost running) and just started yelling "Sorry my Gayness bothers you two....." She said "You two are Racist, Homophobe and Disgusting....." I had NO idea what I had done to be accused of this???

I can not even think about what just happened...

Jamie walked away from us and went to Amanda Glacken's case.

There were a few people near by that heard ~~all~~ the commotion - John Miller, Carol Berry, Angela Ross.

At this time Bess looked at me and said "I am Not Putting up with this."

2-5

Bess then told me, That the day before Connie Earrest (RR#5) Shared a post on Facebook And that Bess hit Liked.

She then said after that Jamie Ja (Eric) made a Comment - That Said "This is disgusting"

Bess said I am going to talk to Dawn (The Postmaster) who we sitting at the Desk in the middle of the floor. We approached Dawn Woods together. Bess started telling h what just happened.. While we are totally blown away... Dawn looked at us and said this is NOT the 1st time At that time (Eric) Jamie James Rai from Amanda's Case, Flipped out her Phone, Handed it to Dawn and said "Here" - It's Right Here in the 1st ~~line~~ sentence - What this is ALL of She is being Sooo Very Angry, Hype Sensitive - Acting So Hostel.

She keeps saying This is DISGUST and it is very Personal to me

I am standing there in disbelief that this is Happening... And that



302  
 'Is still happening. She won't stop...  
 We can not talk over her - She  
 just keeps going on about how  
 disgusting this is. ??

Dawn stops and says  
Hold on - Lets take this to the o

Dawn, Jamie James (Eric) Bess and myself  
 There are 2 doors to the office.  
 We closed one. But the Custodian of  
 the one that goes to the Lobby.

Jamie began to tell Dawn that Bess and  
 I only inquisitioned her in the beginning of  
 her decision to make this transition...  
 As to say we don't care about her -

I start trying to calm her down  
 so that we can talk.. I said Eric  
 She looked at me and yelled ~~As~~ Jamie

I then said the last time we ta  
 You told me you were NOT sure of  
 what you were going to do. You w  
 sure if you were going to be Eric or J

He said I still Haven't Decided -  
 (I am sooo very Confused, I c  
 Speechless (still) it feels like I am  
 a deer in the headlights -)

4-5  
So at this time Dawn says Hold ON  
Everyone Just Stop! I am going 1st,  
So she proceeds to say - We have  
tolerance for this kind of stuff.

Jamie (Eric) started talking so angry.  
So Host 1 - I said You are so bi  
So Angry..."

He flipped around and said  
You THINK??? I said - ?

He said "ONLY in here"

Bess said "Can I Speak Now?"  
She Assured Jamie (Eric) that this post  
WAS NOT About her... Bess said  
I have gay people in my family. Jamie:  
"Well, I wonder how they feel about you  
liking that post?"

Bess said, "They know me."

(Jamie) I said "You should get off of Facebook  
She said - I Will.

Bess said you won't have to worry about  
I am.

Dawn excused Bess + I from the room  
so that she could talk to (Eric) Jamie



5-15

So, back at my desk. My sister Winnie Fisher RE#3 walks over to me and says: Here - She hands me her phone with a very long text. I said what is this ???

She said it is from Jamie James (Eric) Has been texting me all weekend

Winnie said she has been fired - all week-end. She said she has been trying to talk her (Jamie) down from this fight all week-end - I: do you always talk to Eric/Jamie? She said "Yes. - Always"

Winnie said I am always trying to talk her out of all of this - Always talking her down - As to calm her down -

I took Winnie's phone to Dawn. I want Dawn to realize that this has truly been all week-end. Jamie James has been raging all week-end. Winnie has tried to defuse this all weekend.

Dawn read it -

And Carla dedden. Union Rep.

4/6/21

On 4/6/21 around 8<sup>45</sup>am Jamie requested to have a meeting with me. I told her yes to give me a few moments. So around 9am Jamie and Carla came back to my office. Jamie started explaining issues she and everyone else has with the Locks on the Bathroom/Locker room doors. I explained again the the Unisex bathroom/Locker rooms have Locks because the are changing facilities. and that both parties using those areas had the right to privacy while changing their Clothes. If that it was a regular bathroom facility that it would not be an issue. She wanted to know who the Transphobic people were and why I was giving into their beliefs. I stated I wasn't, my job is to make sure all employees feel that they can get dressed in privacy. She again stated that I was Transphobic and that she has had



had already checked and was in full rights to do so. Jamie kept asking about the other employees and kept telling me how they felt. I explained to her that not one other employee has made any inquiry of the situation and that if she knew someone to please let them know to come back and speak with me. Jamie then went back to my "Transphobic beliefs" and was becoming very combative with her speech. At that point I addressed again that those were her opinions and that I didn't have any issues with her personal decisions, that we were discussing what issues she may have with the Bathroom/Locker room situation. She started to say something else about "Transphobic" and I stopped the meeting and had her go back to work.

Jessica Maggard

8/24/2020

Monday morning came into work and thought it wasn't looking too bad mail wise which made me happy. My friend - Lesa Jones came over to my desk at 4:40 to talk about the past weekend. She was just finishing telling me about plans to redo her kitchen. I was facing her and the dock doors - her back was to the doors. As I was saying something to her I seen Eric walk into the back door and as I seen him come through I thought something was wrong by the look on his face. He immediately marched over to my case and pointed his finger at Lesa and myself telling us yelling that us two are homophobic racists. I was whiplashed and I yelled back that we were not even talking about him (I thought that he had thought that because I had no other reason for him yelling at us and calling us names). He continued to yell about I had liked a post on another carrier's post on Facebook (It was a post on Connie Earnest FB page.) and that is why we are homophobic and racist - the two of us. (Lesa Jones had not seen this post or liked it but was included in the namecalling because she is my friend and was at my case I'm guessing). This was definitely a yelling match - I was hurt and mad.

He strutted off to Amanda's case (Rt9) and I said to Lesa that I



was not going to take this and Lesa said she's with me. We took the opposite direction of Eric's and went to the supervisor's desk (desk sits in the middle of workroom floor) to where our postmaster - Dawn - was sitting. I proceeded to let her know that Eric had just blew us up at my desk; calling us homophobic and racist. I told her I was not going to put up with that. I was very upset and shaking.

Eric leaves Amanda because he sees us with Dawn. He hands Dawn his phone and says this is what this is about. I assume he showed her the post I had liked. He goes on to yell ~~again~~ how we are homophobic and racist by me hitting like on a disgusting post. I am yelling back that I am not homophobic nor racist and asked if he had read the entire post. I yelled that the post wasn't about him. He said it was personal, he had read the first line and knew that I had hit liked with him in mind because I hate gays.

Dawn said stop, let's go to her office. We all four went to her office where Bert - our custodian, shut the adjoining door as he left the room.

Dawn immediately said there is zero tolerance for this sort of thing.

Eric again starts yelling about the post & he said it's disgusting and that I was disgusting for hitting like.

I tried to explain that I hit like because it describes how I feel as a Christian when someone ridicules my beliefs; it was never about him. He keeps saying it was personally against him.

Dawn once again told us to stop and take turns. Eric first. He proceeds to say how the first line is about gays and I say I have gay people in my family and he says to me how do you think they feel when you hit like. I said they know me. He goes on to call us homophobic, racist again and me disgusting. That it was personal and he is a minority in here (meaning the office).

I am leaning my hand onto the stand behind me cause I am shaking. I wanted to cry and I was mad because I couldn't believe his comments when I felt I had openly given him support in his life decision.

Lesia says "Eric" and he says "It's Jamie". She says "Okay, Jamie, you come in here almost everyday trying



to pick a fight with someone. You have so much anger in you - he says "Ya think?!" She said you are so bitter. He says the only problem is in here (meaning the post office)

She said Winnie had gathered everyone around before he came back to work (he had been off 2-3 months while figuring out who he was or wanting to be) to rally support for him. Dawn said yes, she did that, meaning Dawn organized the meeting (Winnie (Rt3) has been a close friend of Eric's for the last 17-18 years. She wanted us all to know how hard it was for him to walk back into the work place.) Winnie spoke at this meeting because she was worried about the suicide rate and she wanted everyone to know that Eric needed their support, Lesa said.

I asked when do I get to speak and Dawn said go ahead.

~~that~~ I said I liked the post because of disrespect for my beliefs of being a Christian. I said I texted him with support and had - in that text - I would walk in the door with him his first day back and would be proud to do so. I reminded him of the time that Lesa and I talked to him a couple of days after his return

to see how things were going. He said "I remember that inquisition!" I said "What?!" We talked to him as a show of support and help if he needed us. I had also ~~been~~ said that the text I mentioned before was ~~then~~ also because I had worried about him hurting himself.

Eric says to me "You never talk to me".

This is not true - he is on the other side of the building but when I see him I talk to him - we had just recently spoke about he had moved and now can walk his daughter to school.

Lesia said maybe you should just get off Facebook + Dawn said something about that too and Eric said "Oh I know, I'm taking care of that" or something to that effect.

Dawn said for Lesia and I could leave cause she wanted to talk to Eric and I said I would take care of my Facebook and I stated "I am done!" and I then left the room. Lesia came out a couple of minutes after me.



Lesla came over to my desk later showing me where Eric had texted Winnie over the weekend about the post - how it was personal & full of hate, etc...

Dawn came by my case and told me not to worry all day. I couldn't even talk to her cause I knew I would cry.

Later, before I left for route, I and Dawn were in the bathroom & she was saying just to let it go. I began to cry a little - told her I don't know why I am hurt so much, I know who I am. She said everyone knows who you are in here. Eric has a lot of hurt ahead.

Left for route, couldn't get it out of my head. I missed the parcels that I had to turn around and deliver. His attack left me wondering if things would get better or worse. I worried about my safety at home and work. I had a terrible headache.

When I got back to p.o. I found out that after Lesa & I left for our routes he had attacked (verbally) Winnie Fisher - his friend of many years. An RCA went to supervisor to ask if he was going to do something about it and supervisor said he had to answer phones. Paul (RCA) then got Dawn

and Dawn said for him to get out on his route.

As he was in the parking lot to leave, another RLA (Adam) heard Eric say he was so mad he felt like beating someone up.

In my 35 years as an employee I have never experienced so much anger towards me and others. It has made me concerned about walking into work and apprehensive about what could be next. I thought there was zero tolerance?

Most employees are afraid to speak up. Mine is not the only incident.

I have heard from others that Eric said Connie Earnest will get hers when she gets back.

Margaret Clemmons



Management at the United States Postal Service have been aware of my transgender female status, as well as my name that matches my identity, Jamie, since the beginning of my transition. Management knew of my gender identity before they were ever told by me. My depression had come to the point of suicidal wishes as I was coming out as myself, to those close to me, about my transgender status. In December of 2019 I decided to go the hospital for my depression because I didn't want to feel like I wanted to die anymore. After a month inpatient/outpatient care, I started preparing for my transition but ultimately never got to tell the world who I was because my Supervisor Ali Herrera exposed my medical information to my workplace traumatizing me, I subsequently filed for another month of FMLA protection due to my trauma.

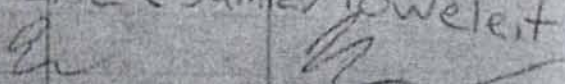
My current Postmaster Jessica Maggard was also Postmaster at the time of this occurrence. She was also aware Ali had ruined my life, but at said time she told me not to worry because Ali wouldn't be there when I returned. I'm not sure if the trauma acknowledged by Jessica was investigated but I do know my life was ruined by this illegal incident, yet he still has a job and comes to my office to stare at me when he can. Furthermore Postmaster Maggard addressed my office in January 2020 about my transgender status so I would be treated respectfully at work.

In August of 2020 I began presenting my true self to work after starting my medical transition in June. Many including management refused to address me properly. Some still do to this day. As of April 6th 2021, my postmaster Jessica Maggard still referenced



me as Eric. My name is not Eric. I do still deserve the same respect. I have been called the names they wish. I have used my name Jamie on many forms and notices for the last one month. At any point the Postal Service has needed my legal name, they have respectfully asked me to sign accordingly without objection from me.

On 4-29-21 I came in for my third round of accusatory questions, also known as a pre disciplinary interview. Before the first accusation was directed towards me my supervisor Brian Mulholland asked my name, I told him Jamie Poweleit, he acknowledged me as Jamie & proceeded with his accusations. I was once again questioned without any chance to understand the allegations against me. No situations the Postal Service are accusing me of have been presented to me. I've only been asked why I did things I never did. As of 5-1-21 I still haven't been provided the opportunity to defend myself. In the 4-29-21 accusation meeting I signed my name Jamie on the handwritten forms Brian was writing on. If these were legal documents, they did not look the part nor was I informed by my Supervisor, like I have been in the past.

Eric (Jamie) Poweleit  
  
 5-1-2021



Management at the United States Postal Service have been aware of my transgender female status, as well as my name that matches my identity, Jamie, since the beginning of my transition. Management knew of my gender identity before they were ever told by me. My depression had come to the point of suicidal wishes as I was coming out as myself to those close to me, about my transgender status. In December of 2019 I decided to go the hospital for my depression because I didn't want to feel like I wanted to die anymore. After a month inpatient/outpatient care, I started preparing for my transition but ultimately never got to tell the world who I was because my Supervisor Ali Herrera exposed my medical information to my workplace, traumatizing me, I subsequently filed for another month of FMLA protection due to my trauma.

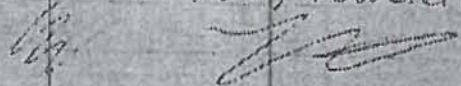
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In August of 2020 I began presenting my true self to work after starting my medical transition in June. Many including management refused to address me properly. Some still do to this day. As of April 6th 2021, my Postmaster Jessica Maggard still referenced



me as Eric. My name is not legally changed, I do still deserve the same respect others get being called the names they wish. At every point the Postal Service has needed my legal name they have respectfully asked me to sign accordingly without objection from me.

Eric (Jamie) Powell



4-30-2021

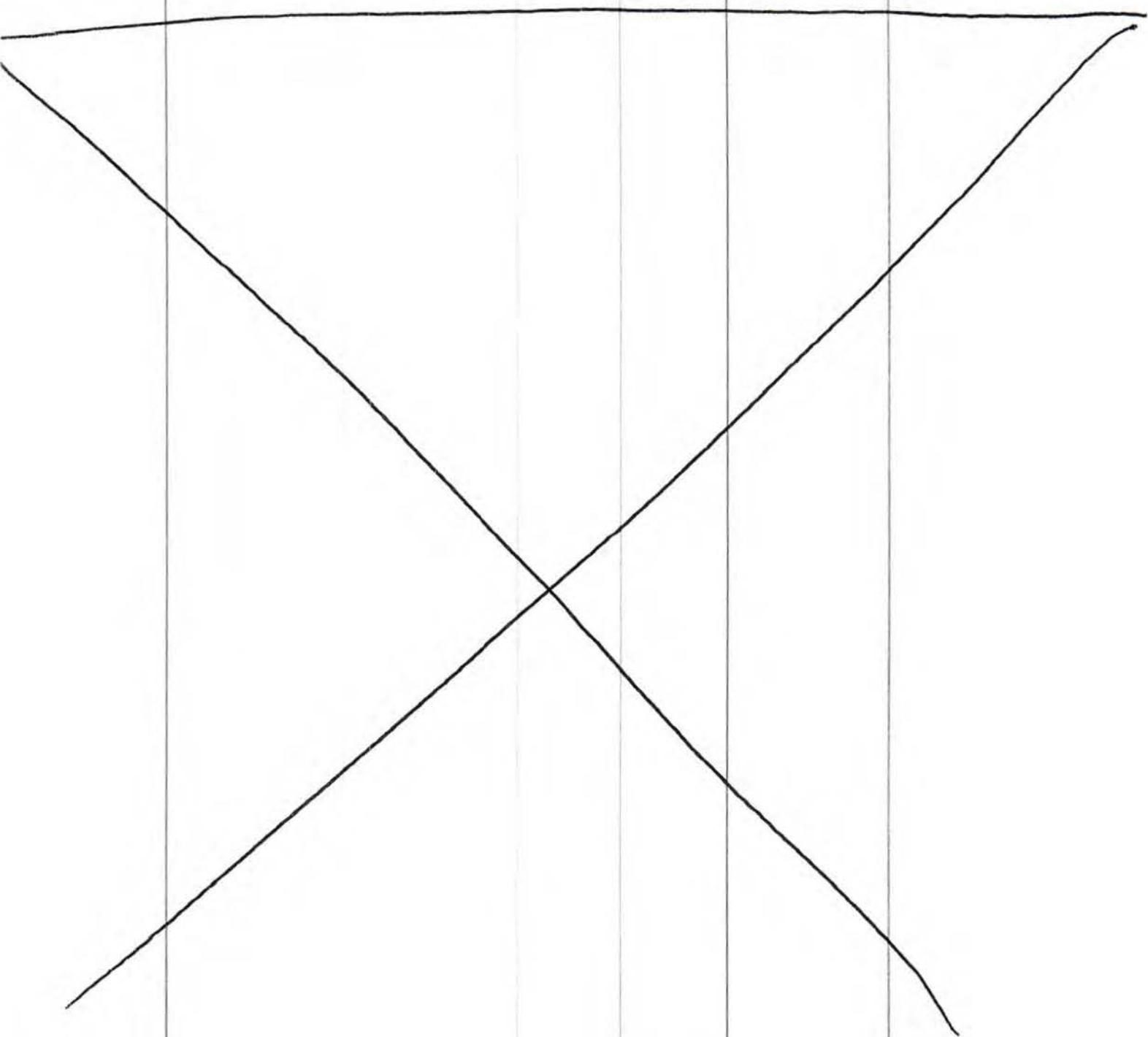


Steward approached me when I arrived at work. Asked me about having a meeting with Eric (Jamie) and her. I stated sure and all 3 of us went to my office. Eric (Jamie) again wanted to ask questions about the bathroom facilities. Asking for names of employees and threatening Osha on me. She accused me of following transphobic beliefs of other employers. Eric (Jamie) stated she wanted her own bathroom (family) facility installed. She became very verbally abusive to the point I had to stop the meeting and return her to her case to complete her job for the day.

Upon going through the Postmasters desk at the Loveland Post Office I was made aware that this behavior from Eric (Jamir) had escalated. There were previous statements made months prior. ~~There were also statements made here in Cleveland as well.~~ J.M.

Management ~~Eric~~ Jim held a PDI with (Jamie) Eric on 4-29-21 after placing Eric (Jamie) on Emergency placement on 4-14-21. Eric (Jamie) signed the PDI has Jamie which is not her Employee name. I requested Carla Dedden to have Eric (Jamie) write a statement that he in fact signed her PDI as Jamir and

her full employee name is [REDACTED]  
Email and her statement is enclosed as well.  
Along with the other statements found by  
A/Postmaster Jessica Maggard from prior.





11) On 4/3/2021 Eric (Jamie) Poweleit was scheduled on Rural Route 2 at the Loveland Post office. Eric (Jamie) found out that a lock<sup>up</sup> had been put on one of the bathroom doors due to the facilities being changed to unisex facilities. Eric (Jamie) called Postmaster Jessica Maggard at 930am Saturday April 3, 2021 at home. Eric (Jamie) asked the Postmaster a few questions regarding the lock. I answered the questions about the locks stating that "a lot of facilities are going to unisex facilities and the other facility would also be getting a lock as well. I have worked with Safety on this ~~and~~<sup>in</sup> matter and we were allowed to do so." Eric (Jamie) was upset but I thought she had calmed down a bit by the time we got off the phone.

When Eric (Jamie) got off the Phone with P.M Jessica Maggard, she came back inside the Post office from a smoke break. At this time she started an argument with the rural carrier on Rural Route 3, Edwina Fisher. They spoke about the restroom facilities and Eric (Jamie) started attacking her verbally about transgender people and how they are hated on. The Supervisor Bryan Mulholland



had to go over twice to break up the argument. Telling all parties to get in their cases and work quietly. After that Eric (Jamie) pulled her mail down and went to load her vehicle. While loading she was talking to another rural carrier Albert Cornell. Eric (Jamie) made a statement to him. Eric (Jamie) stated "She was going to burn this mother fucker to the ground." At this time Albert asked Eric (Jamie) to clarify her statement. Eric (Jamie) stated she was going to take everybody down, naming management as the first to go. Another rural RCA was also loading a few spaces down and also heard Eric (Jamie) say the same thing. Carrier name is Alex Glatte.

On 4/5/21 I arrived at work and was <sup>in</sup> ~~app~~ After my morning updates I was approached by Albert Cornell in my office. We spoke about the events that happened on 4/3/21 with Eric (Jamie) while loading their trucks. Albert was very shaken, he was worried about his family and himself, along with the other employees at the Loveland Post Office. Albert up to this point had been friends with Eric (Jamie) he said that Eric (Jamie) knows where he lives and that he felt Eric (Jamie) was not in a good mental state. We discussed using the buddy system and to make sure to document anything that was threatening. ~~As~~ <sup>in</sup> Albert left my office.



and asked to talk to me. Alex Glatte expressed concerns about SA 4/3/21, but also stated Jamie (Eric) had been following her again. I asked again? She said yes. She had made a statement a few months prior that Jamie (Eric) had been following her and that other employees had to get involved to the fact Eric (Jamie) would advance her and trap her in her case. Alex stated that Eric (Jamie) was doing this kind of erratic behavior again. We discussed the buddy system and that she not need to be by herself. She was very upset to the point of tears. She was very uncomfortable with the situation. Alex left my office. I went out to the floor. I was standing at the supervisors desk when Eric (Jamie) approached me. She asked me to talk about the bathroom locks again. I said sure what could I help her with. She wanted to know the names of the employees that were trans-phobic. I explained to her that whether there were any employees that had issues, that information wasn't hers to have. She then became loud was talking over me. She accused me of being transphobic and we were all full of hate. At this point I asked her to go back to her route and case her mail. We were not going to have a yelling match on the floor. As she was going back to her route she started making comments so that the other employees could hear her. I again asked her to go to her case. I got on the intercom and put the workroom floor on lock down. Due to the



Case: 1:22-cv-00194-DRC Doc #: 18-2 Filed: 11/16/22 Page: 53 of 78 PAGEID #: 250  
unemployed, I was not working. Eric (Jamie) was standing at her case  
combative behavior. Eric (Jamie) was standing at her case  
not working, yelling at me and calling me transphobic  
I asked her again to get in her case and work quietly.  
She stepped back out of the case and told me I  
couldn't treat them like this, that I embarrassed her  
in front of everyone. I asked her again to quit being  
loud and combative. She turned around picked up  
her things and announced to the whole office  
yelling that we were discriminating against her  
I walked closer to her case, she said because she  
was transgender that we were doing all this. I  
explained to her it had nothing to do with her  
being transgender. It was because of her improper  
conduct and not following instruction. She yelled  
she was sick and she was leaving for the day.  
I asked her to fill out a 3971, she ignored me  
and kept walking, I asked if she is failing to  
follow management instruction? She stated she  
never filled them out before. I stated she had  
and needed to be filled out so she could be paid  
correctly. She filled out the 3971 and threw  
it on the floor. As she was walking out she yelled  
to the workroom floor that it was her birthday  
and thanks for all the birthday wishes. It  
had been a great birthday thanks to all of us  
transphobic people. Eric (Jamie) left the office.  
I was also approached shortly after by Jacquie Braden a  
clerk who had been on vacation, and was asked why her  
stat



On Saturday - April 3

I was casing mail & Sammy came over & said to Jamie James did you see the homophobic lock on the bathroom door? I said thanks Sammy because I knew it was about to be a rough morning. Jamie goes walking very fast to the bathroom, comes back saying loudly Well this is typical of hoveland, all they know is hate & it's clearly about me! And someone is going down for this - (Being a peacekeeper) I tried to explain that I'm not sure why the lock was put on but I am sure its so that if anyone is uncomfortable in the bathroom then they can lock it to feel comfortable. I assured her it was not personal & not about hate. She said why ~~it~~ would anyone feel uncomfortable? I said well truly you still have a penis so maybe some people aren't comfortable being in the bathroom & its ok. Cause now everyone can feel safe. She said NO Winnie Fuck that & I don't care if anyone feels uncomfortable & I said Oh so you're the only person that matters in here? She just kept arguing & Bran told us both to ~~to~~ Stop & get our mind



She just kept raging over it. She walked away I turned on the radio so I could get my mind somewhere else - Sammy Says in a Sarcastic voice Who put this music on? I said It was me I'm sorry I was trying to escape the drama. I forgot you two were hating today - they both starting <sup>verbally</sup> attacking + laughing saying things like - Ohhh really? So how does that feel people hating on you? ~~because~~ ~~the~~ You know your taste in music - being transgender whatever - how's that feel?? I yelled for Brian to tell them to leave me alone so he told us all its the last time he's telling us + Jamie of course says why am I always being told I can't talk to anyone? Well I just pulled my mail down + left ~~it~~ was the 2nd time since Jamie has come out that I have felt attacked + uncomfortable. I have been at the Post office for over 25 years and have never had any problem with anyone except for the past several months. She makes everything about her + its not that way - The management at Loveland has went out of their way to make ~~her~~



Change from Eric to Jamie easy  
 + respectful. Jamie doesn't under-  
 stand that it's not easy working  
 next to someone for 15 plus years  
 as Eric + then changing to Jamie-  
 It's hard + every now + then  
 we all slip + say he or Eric  
 and she gets so angry + we  
 don't mean anything by it, it's  
 just change takes time + every  
 time we always say sorry but  
 she just makes it drama. She  
 wants everyone to respect her  
 but she has no respect or patience  
 for anyone's mistakes. It's scary  
 that she gets so angry + has to  
 be talked down or walk away.  
 I know that I am a patient person  
 who doesn't judge. But I am  
 so stressed out I told Brian I  
 may need stress time off over  
 all this drama all the time  
 over nothing.

Thanks for  
 your time  
 Edwin A  
 Fisher

4/5/21

I arrived at work at the Loveland Post Office at 8<sup>15</sup> AM on 4/5/21. I came onto the Workroom floor to see the operation. I spoke to Supervisor Larry Malone, Catching up on the morning events, (Late trucks, mail profile). After being updated I reported back to my office and started my computer. I had a rural carrier come to the office and asked to speak to me. The employee then shut the door and discussed an issue <sup>(concern)</sup> with another employee. The concern was about some things (comments) that were made to him on Sat. 4/3/21 from Jamie (Eric Poweleit) had made to him. The employee was concerned that ~~the~~ <sup>Jim</sup> Jamie was going to do something harmful to others. The employee explained that they (him and Jamie) were loading parcels on their trucks on 4/3/21 and Jamie made the statement to him that "She was going to blow the place up and take everyone out with her"



this statement concerned him and he is concerned for his safety and asked me to move his case. We discussed the situation and the Employee went back out to his case.

About 20 min later around 9.00am another employee came back to my office and asked to speak to me. This employee stated that she also had concerns for her safety and was at this point in tears. She made the statement that Eric (Jamie) Poweleit has been following her around all morning again, making statements about her being transphobic and she should have to accept Jamie for what she became. Employee states she doesn't have any issues with Jamie, she is not sure why Jamie has an issue with her. This wasn't the first time this has happened, it happened one other time and 2 other employees had to stop the confrontation between (Jamie and herself). We discussed the issues, came up with a plan of using the buddy system while I address the issues that had been presented to me. She then left my office to go back to work.



I went out to the work room floor around 9<sup>30</sup>am or so. As I was standing at the supervisor desk, Jamie came up to me and asked me <sup>again</sup> about the bathroom door locks. She had called me on Saturday morning at home to discuss this. We had a 20min conversation about the Bathroom/Locker rooms being Uni-sex and that we would be letting everyone know sometime this week, on the instructions of use for the Locks. So the morning on 4/5/21 She again wanted to discuss who had an issue with her using the bathroom again I told her that it wasn't her concern, if anyone had issues. the Bathroom/Locker rooms becoming Uni-sex was something that should of been already done, but had not been completed due to multiple postmaster's in and out of the office. Jamie then became combative, argumentative and would not listen to the communication, She over talked me, She called me and other employees 'transphobic'. She started screaming...



and louder for everyone to hear. I stopped the conversation and instructed Eric (Jamie) to go back to her case that we were not going to act this way on the workroom floor. She started to walk towards her case making comments about herself and how the post office isn't right. I again instructed the whole floor to get in their cases and quietly do their jobs. Jamie came out of her case yelling that we couldn't do this to them and you can't make us be quiet. I was standing in the workroom floor and again gave a management instruction to get in their cases and perform their job duties. 2 other carriers were talking loudly and I also instructed them to return to their case which they followed management instruction. A few moments went by and Jamie (Eric) again came out of her case yelling we were discriminating against her. I walked closer to her case and asked how? She stated because of her transgender.



I explained to her it was not because of her transgender, it was because of the ~~inappro~~<sup>improper</sup> conduct of the yelling and remarks made on the workroom floor. She picked up her things announced she was sick and she was leaving for the day. I asked her to fill out a 3971 for the leave. She continued to walk towards the Back door yelling that "it was her Birthday and thanks for all the Birthday wishes". I asked her again to stop yelling and to fill out a 3971. She stated she had never had to fill out a 3971 Before. I asked her if she was failing to follow instructions given and she stopped and filled out a 3971 for a sick day. She then proceeded to Leave saying "it had been a great Birthday, and thanks for all of us Transphobic people."

Jessica Mazzard



4/6/21  
4/6/21  
Eric (Jamie) Howeleit  
2nd Carla dedden. Union Rep.

On 4/6/21 around 8<sup>45</sup>am Jamie requested to have a meeting with me. I told her yes to give me a few moments. So around 9am Jamie and Carla came back to my office. Jamie started explaining issues she and everyone else has with the locks on the Bathroom/Locker room doors. I explained again the the Unisex bathroom/Locker rooms have locks because they are changing facilities and that both parties using those areas had the right to privacy while changing their clothes. If that it was a regular bathroom facility that it would not be an issue. She wanted to know who the Transphobic People were and why I was giving into their beliefs. I stated I wasn't, my job is to make sure all employees feel that they can get dressed in privacy. She again stated that I was Transphobic and that I was



to endure all the Redneck / Hillbilly  
Ideals of others on the floor, She stated  
an employee even used the Symbol of Hitler.  
I asked if she had reported the issue  
to any management. She stated no. I explained  
to her that any and all statements would  
not be tolerated by any employee and  
that it needed to be brought to management  
for a resolution. She agreed but would still  
not give any information on who it was.  
Jamie stated she was going to call OSHA  
because there had to be a Law against  
taking the bathrooms away. I again stated  
the Bathrooms are still to be used, just the  
locks would be there for the Changing of  
Clothes by any employee. I also asked her  
what remedy she would like to see, Jamie  
stated she wants another Bathroom a  
family bathroom installed so she may  
use it due to the transphobic ideas  
of other employees. I explained that was  
not feasible. She then said she was going to  
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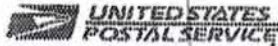


had already checked and was in full rights to do so. Jamie kept asking about the other employees and kept telling me how they felt. I explained to her that not one other employee has made any inquiry of the situation and that if she knew someone to please let them know to come back and speak with me. Jamie then went back to my "Transphobic beliefs" and was becoming very combative with her speech. At that point I addressed again that those were her opinions and that I didn't have any issues with her personal decisions, that we were discussing what issues she may have with the Bathroom / Locker room situation. She started to say something else about "Transphobic" and I stopped the meeting and had her go back to work.

Jessica Mazzard

## REQUEST FOR DISCIPLINE

Ohio Valley District

Date: 5/4/2021

1. Employee's Name: Eric Poweleit
2. Employee I D: 03611244
3. Job Title: Rural Carrier
4. Pay Loc. \_\_\_\_\_ Facility: Loveland Post Office
5. Name of Official Requesting Action: Bryan Mulholland
6. Title of Official Requesting Action: Supervisor Customer Service
7. Date/Time of Offense: 4/3/21, 4/5/21, 4/14/21
8. Charge (Circle One): Unsatisfactory Performance Unsatisfactory Attendance Improper Conduct
9. Specification of Charge (Refer to list of specifications on page 3)  
Altercation / Assault / Threat
10. Type of Action Requested (Check ONE)  
 Letter of Warning      7 Day Suspension      14 Day Suspension  
 Emergency Placement      Indefinite Suspension      Removal  
 Proposed Removal (Pref Eligible)
11. Fully and Accurately Describe the incident(s). Please provide dates, times, locations...  
 Who? What? When? Where? How? Why? Witnesses and Statements.  
 Use additional pages if necessary and attach to packet.  
See attached paper (11) (1-3) 3 pages  
Statement.
12. List the Supporting Documentation (proof the employee committed the infraction),  
 PDI, and PS form-. EP Letter, employee statements,  
Ⓢ
13. What was the employee's explanation of their conduct? (From the PDI)  
Employee Poweleit stated he/she never  
said anything, had no idea, has had no  
chance to defend herself.



14. After considering the employee's explanation in the PDI why do you believe that corrective action should be taken against the employee.

Employee knows and is very aware of the zero tolerance policy that the USPS has in place. Employee states in PDI "yes, I've tried to take advantage of it numerous times." Many employees have spoken up with concerns from Employee Powell. The concern is for the employee not taking their safety and others and using the policies for

15. Please attach and list past disciplinary actions and settlements. Personal gain.  
Include date of issue, level of action, type, and any settlements.

1 E Placement 4/14/21  
2  
3

#### Requesting Official

"I acknowledge I have been free to discuss, consult, communicate or jointly confer with higher reviewing authority prior to proposing this action if I deemed it desirable to do so. I have made an independent substantive review of the evidence. By my signature below I certify this request is based on my own judgment and recommendation, and is not the product of a "command decision" and has not been imposed upon me by higher authority in any manner.

  
Requesting Official Signature

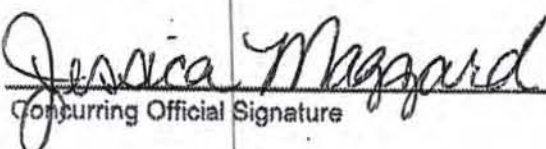
5/4/2021  
Date

#### Concurring Official

"As the concurring official I certify I have not coerced, ordered, or influenced the requesting official to arrive at any particular conclusion in this matter. I understand I am not required to conduct an independent investigation of the matter in question, but by concurring with the requesting official's proposal I claim I have made an independent, substantive review of the evidence and record presented to me by the requesting official.

Jessica Maggard  
Concurring Official Printed Name

Postmaster / OIC  
Title

  
Concurring Official Signature

5/4/21  
Date



11) On 4/3/2021 Eric (Jamie) Poweleit was scheduled on Rural Route 2 at the Loveland Post office. Eric (Jamie) found out that a lock<sup>in</sup> had been put on one of the bathroom doors due to the facilities being changed to unisex facilities. Eric (Jamie) called Postmaster Jessica Maggard at 930am Saturday April 3, 2021 at home. Eric (Jamie) asked the Postmaster a few questions regarding the lock. I answered the questions about the locks stating that "a lot of facilities are going to unisex facilities and the other facility would also be getting a lock as well. I have worked with Safety on this ~~and~~<sup>in</sup> matter and we were allowed to do so." Eric (Jamie) was upset but I thought she had calmed down a bit by the time we got off the phone.

When Eric (Jamie) got off the Phone with P.M. Jessica Maggard, she came back inside the Post Office from a smoke break. At this time she started an argument with the rural carrier on Rural Route 3, Edwina Fisher. They spoke about the restroom facilities and Eric (Jamie) started attacking her verbally about transgender people and how they are hated on. The Supervisor Bryan Mullholan



② About 20 min later another Employee came in and asked to talk to me. Alex Glatte expressed concerns about SAT 4/3/21, but also stated Jamie (Eric) had been following her again. I asked again? She said yes. She had made a statement a few mo. prior that Jamie (Eric) had been following her and that other employees had to get involved & to the fact Eric (Jamie) would advance her and trap her in her case. Alex stated that Eric (Jamie) was doing this kind of erratic behavior again. We discussed the buddy system and that she not need to be by herself. She was very upset to the point of tears. She was very uncomfortable with the situation. Alex left my office. I went out to the floor. I was standing at the supervisors desk when Eric (Jamie) approached me. She asked me to talk about the bathroom locks again. I said sure what could I help her with. She wanted to know the names of the employees that were trans-phobic. I explained to her that whether there were any employees that had issues, that information wasn't hers to have. She then became loud was talking over me. She accused me of being transphobic and we were all full of hate. At this point I asked her to go back to her route and case her mail. We were not going to have a yelling match on the floor. As she was going back to her route she started making comments so that the other employees could hear her. I again asked her to go to her case. I got on the intercom and put the bathroom



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On 4/5/21 I arrived at work and was <sup>Jim</sup> ~~app~~ After my morning updates I was approached by Albert Cornell in my office. We spoke about the events that happened on 4/3/21 with Eric (Jamie) while loading their trucks. Albert was very shaken, he was worried about his family and himself, along with the other employees at the Loveland Post office. Albert up to this point had been friends with Eric (Jamie) he said that Eric (Jamie) knows where he lives and that he felt Eric (Jamie) was not in a good mental state. We discussed using the buddy system and to make sure to document anything he felt was threatening. <sup>Jim</sup> ~~app~~ Albert left my office.



LOVELAND POST OFFICE  
OHIO VALLEY DISTRICT



April 15, 2021

ep: rlh

**EMERGENCY PLACEMENT IN OFF-DUTY STATUS**

**ERIC POWELEIT  
18 MIAMIVIEW DR  
LOVELAND, OH 45140**

**RURAL CARRIER  
EMPLOYEE IN: 03611244**

**CERTIFIED # 70191120000096794736  
TRACKING # 9505516158581105489709**

You were verbally notified you that you were being placed into an off duty status without pay effective April 14, 2021 and that you would remain in that status until you are advised otherwise. The reason for this action is:

**IMPROPER CONDUCT**

This is written confirmation of your being placed via the Emergency Procedure as outlined in the National Agreement. On April 14, 2021 management became aware that you made statements at work that were in direct violation of the Zero Tolerance Policy.

Accordingly, you have been placed on emergency placement in an off duty status without pay, pending further investigation. Article 16, Section 5, of the National Agreement states "An employee may be immediately placed on an off-duty status (without pay) by the Employer, but remain on the rolls where the allegation involves intoxication (use of drugs or alcohol), pilferage, or failure to observe safety rules and regulations, or in cases where retaining the employee on duty may result in damage to US Postal Service property, loss of mail or funds, or where the employee may be injurious to self or others."

You may contact me if you have questions or do not understand the reasons for your Emergency Procedure status. You have the right to file a grievance under the Grievance-Arbitration procedure as set forth in Article 15, Section 2, of the National Agreement, within fourteen (14) days of your receipt of this notice.

Jessica Maggard  
A/Postmaster

DISC

00174

Affidavit B  
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